



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,432	11/20/2001	Mike Pollitt	011554-000600US	3896
20350	7590	05/25/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			LE, NANCY LOAN T	
TWO EMBARCADERO CENTER			ART UNIT	
EIGHTH FLOOR			PAPER NUMBER	
SAN FRANCISCO, CA 94111-3834			3621	

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,432

Applicant(s)

POLLITT, MIKE

Examiner

NANCY LOAN T. LE

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/991,432.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

Claims 1-39 have been examined.

Priority

1. Receipt is acknowledged of priority papers filed under 35 U.S.C. 119 (a)-(d) based on an application for patent filed in the United States, application no. 09/991,432 on 20 November 2001.

Oath/Declaration

2. Applicant has not complied with the requirements of 37 CFR 1.63(c), since the oath, declaration or application data sheet does not acknowledge the filing of any foreign application. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.

The specification to which the oath or declaration is directed has not been adequately identified.

See MPEP § 602.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-39 are rejected under 35 U.S.C. 102(a) as being anticipated by Downs et al., U.S.

Patent no. 6,226,618 B1, published on 1 May 2001.

As per claim 1, Downs et al. disclose a method of displaying content to a user, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria

Art Unit: 3621

to be satisfied in order to allow at least some of the content to be displayed, the method comprising the steps of:

- Determining if the next data frame is a criteria frame (col. 69, lines 37-43 – i.e., *license* is being a criteria frame); and,
- In response to a successful determination (col. 69, lines 37-43);
- Determining the one or more criteria (col. 69, lines 37-43);
- Comparing the one or more criteria to user data, the user data indicating whether the criteria are satisfied for the respective user (col. 69, lines 43-45; col. 70, lines 27-31);
- Decoding a number of the following data frames in response to a successful comparison (col. 69, lines 45-48; col. 85, lines 65-67; col. 86, lines 1-4); and,
- Displaying the content contained therein (col. 86, lines 1-4).

As per claim 2, Downs et al. disclose the method of claim 1, wherein if the first one or more data frames do not include a criteria frame, the method further includes the steps of:

- Decoding the first one or more data frames (col. 73, lines 12-29 – i.e., *previewing promotional content*); and,
- Displaying the content contained therein (col. 78, lines 59-61).

As per claim 3, Downs et al. disclose the method of claim 1, the method includes determining the number of following data frames to decode by decoding all the following data frames in sequence until the next criteria frame is reached (col. 82, lines 59-61).

As per claim 4, Downs et al. disclose the method of claim 1, the method further including:

- Displaying selected ones of the one or more criteria to the user, so as to allow the user to accept or reject the criteria (col. 23, lines 14-20 – i.e., *the Electronic Digital Content Store [EDCS] displays the Terms and Conditions of the content purchase order to the end-user*); and,
- Comparing the one or more criteria to the user data in response to acceptance of the criteria (col. 23, lines 18-20; col. 24, lines 17-32 – i.e., *the EDCS compares, verifies user data and obtains payment-authorization from an acquirer-institution*).

As per claim 5, Downs et al. disclose the method of claim 4, the method including determining the number of following data frames to decode in accordance with input commands received from the user (col. 24, lines 33-57 – i.e., *the end-user devices decrypts and decodes digital content*).

As per claim 6, Downs et al. disclose the method of claim 1, the criteria including the payment of funds, the user data indicating the balance of funds available for the respective user, the method including determining the comparison to be unsuccessful if insufficient funds are available (col. 23, lines 14-20; col. 24, lines 17-45; col. 45, lines 53-64).

As per claim 7, Downs et al. disclose the method of claim 6, wherein if insufficient funds are available, the method further includes the steps of:

- Receiving transaction details from the user (col. 24, lines 17-18 – i.e., *the EDCS receives the content purchase order from the end-user*);
- Transferring the transaction details to a remote transaction system, the remote transaction system being adapted to authorize the transaction (col. 24, lines 19-32 – i.e., *it is understood that the EDCS transfers transaction details to the Clearing House for transaction authorization*);
- Update the user data based on the transaction (col. 24, lines 33-45); and
- Re-compare the one or more criteria to the user data (col. 24, lines 33-45).

As per claim 8, Downs et al. disclose the method of claim 1, the method being implemented using an end station, the method of comparing the indicated criteria including the steps of:

- Transferring an indication of the criteria from the end station to a base station via a communications system, the base station being adapted to (col. 69, lines 37-45; col. 70, lines 27-31):
- Compare the indicated criteria to user data, the user data indicating whether the criteria are satisfied for the respective user (col. 69, lines 43-45); and,
- Generate a notification in response to a successful comparison (col. 69, lines 45-48; col. 24, lines 39-44); and,
- Monitor for the notification (col. 24, lines 58-61 – i.e., *the summary transaction reports are transmitted to the content providers and EDCS for auditing and tracking purposes*); and,

Art Unit: 3621

- In response to the notification, decode a number of the following data frames and display the content contained therein (col. 24, lines 47-57; col. 86, lines 1-4).

As per claim 9, Downs et al. disclose the method of claim 8, the method including determining the number of following data frames to decode by decoding a number of the following frames in accordance with a predetermined number (col. 23, lines 62-67 – i.e., *transaction ID*) specified in the notification generated by the base station, the base station generating the predetermined number based on the user data (col. 23, lines 59-61 – i.e., *the EDCS being the base station that creates & transfers a transaction SC 640 to the End-User Device*).

As per claim 10, Downs et al. disclose the method of claim 8, the method further including the steps of:

- Generating an identifier that uniquely identifies the user (col. 24, lines 2-4, lines 14-16 – i.e., *digital signature being a unique user identifier*);
- Transferring the identifier from the end station to the base station together with the indication of the criteria, the base station using the identifier to select the user data corresponding to the respective user (col. 24, lines 17-47).

As per claim 11, Downs et al. disclose the method of claim 1, the content including video and/or audio content (col. 6, lines 45-48).

As per claim 12, Downs et al. disclose the method of claim 1, the sequence of data frames being in the form of a video stream (col. 6, lines 45-48).

As per claim 13, Downs et al. disclose a method of displaying content to a user, the method including a sequence of data frames, each data frame being encoded using a predetermined algorithm (col. 12, lines 43-46; col. 13, lines 19-47; i.e., ... *using the symmetric, public key/symmetric key algorithms*), the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 19, steps 144-148 of the given table).

As per claim 14, Downs et al. disclose a computer executable code representing content to be displayed to a user, the computer executable code comprising a sequence of data frames, each data

Art Unit: 3621

frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the computer executable code being adapted to cause a suitably programmed processor to (col. 7, lines 41-55 – i.e., *the end-user player application being the computer executable codes*; col. 11, lines 35-54):

- Determine if the next data frame is a criteria frame (col. 69, lines 37-43); and,
- In response to a successful determination (col. 69, lines 37-43);
- Determine the one or more criteria (col. 69, lines 37-43);
- Compare the one or more criteria to user data, the user data indicating whether the criteria are satisfied for the respective user (col. 69, lines 43-45; col. 70, lines 27-31);
- Decode a number of the following data frames in response to a successful comparison (col. 69, lines 45-48; col. 85, lines 65-67; col. 86, lines 1-4); and,
- Display the content contained therein (col. 86, lines 1-4).

As per claim 15, Downs et al. disclose a computer executable code representing content to be displayed to a user, the computer executable code including a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 11, lines 35-54 – i.e., *end-user player application being the computer executable codes*).

As per claim 16, Downs et al. disclose a computer program product comprising computer executable code for causing an end station to display content to a user, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the computer executable code being adapted to cause the end station to (col. 7, lines 41-55; col. 11, lines 35-54):

- Determine if the next data frame is a criteria frame (col. 69, lines 37-43 – i.e., *license is being a*
criteria frame); and,

Art Unit: 3621

- In response to a successful determination (col. 69, lines 37-43);
- Determining the one or more criteria (col. 69, lines 37-43);
- Comparing the one or more criteria to user data, the user data indicating whether the criteria are satisfied for the respective user (col. 69, lines 43-45; col. 70, lines 27-31);
- Decoding a number of the following data frames in response to a successful comparison (col. 69, lines 45-48; col. 85, lines 65-67; col. 86, lines 1-4); and
- Displaying the content contained therein (col. 86, lines 1-4).

As per claim 17, Downs et al. disclose the computer program product of claim 16, the computer program product including a codec, the codec being adapted to co-operate with media player applications software implemented by the end station (col. 21, lines 51-63 – i.e., encoding; col. 82, lines 51-60 – i.e., decoding).

As per claim 18, Downs et al. disclose a computer program product comprising computer executable code for causing an end station to display content to a user, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 7, lines 41-55; col. 11, lines 35-54).

As per claim 19, Downs et al. disclose an end station for displaying content to a user, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the end station comprising:

- A display (col. 79, lines 18-25 – i.e., *end-user device* is being a display);
- A processor, the processor being adapted to (col. 79, lines 15-25 – i.e., *it's understood that a processor is included in the end-user device, which is being a Personal Computer*):
 - ◆ Receive the content (col. 11, lines 35-54);
 - ◆ Determine if the next data frame is a criteria frame (col. 69, lines 37-43 – i.e., *license is being a criteria frame*); and,
 - ◆ In response to a successful determination (col. 69, lines 37-43);

- ◆ Determine the one or more criteria (col. 69, lines 37-43);
- ◆ Compare the one or more criteria to user data, the user data indicating whether the criteria are satisfied for the respective user (col. 69, lines 43-45; col. 70, lines 27-31);
- ◆ Decode a number of the following data frames in response to a successful comparison (col. 69, lines 45-48; col. 85, lines 65-67; col. 86, lines 1-4); and,
- ◆ Display the content contained therein (col. 86, lines 1-4).

As per claim 20, Downs et al. disclose the end station of claim 19, the end station further including a communications port for coupling to a communications system (col. 11, lines 33-34; col. 23, lines 4-20 – i.e., *it's understood that the End-User Device being a Personal Computer includes communications port to communicate/transmit/exchange information with other devices*).

As per claim 21, Downs et al. disclose a method of controlling the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the method comprising:

- Receiving an indication of the criteria from the end station (col. 69, lines 37-45; col. 70, lines 27-31 – i.e., *license is being a criteria*);
- Comparing the indicated criteria to the user data to determine if the criteria are satisfied (col. 69, lines 43-45);
- Generating a notification in response to a successful comparison (col. 69, lines 45-48; col. 24, lines 39-44);
- Transferring the notification to the end station, the end station responding to the notification to (col. 69, lines 45-48; col. 24, lines 39-44):
 - Decode a number of the following data frames (col. 24, lines 47-57); and,
 - Display the content contained therein (col. 86, lines 1-4).

As per claim 22, Downs et al. disclose the method of claim 21, the end station being adapted to generate an identifier that uniquely identifies the end station (col. 24, lines 2-4, 14-16 – i.e., *digital*

Art Unit: 3621

signature being a unique user identifier) and transfer the identifier to the base station together with the indication of the criteria, the method including using the identifier to select the user data corresponding to the respective user (col. 24, lines 17-47).

As per claim 23, Downs et al. disclose the method of claim 21, the method further including:

- Determining the number of following data frames to decode based on the user data (col. 69, lines 45-48; col. 85, lines 65-67; col. 86, lines 1-4); and,
- Transferring the number to the end station together with the notification (col. 23, lines 59-67 – *i.e., the EDCS creates & transfers a transaction ID to the End-User Device*).

As per claim 24, Downs et al. disclose the method of claim 21, the criteria including the payment of funds, the user data indicating the balance of funds available for the respective user and the method including generating the notification if sufficient funds are available (col. 23, lines 14-20; col. 24, lines 17-45).

As per claim 25, Downs et al. disclose the method of claim 24, wherein if insufficient funds are available, the method includes:

- Generating an insufficient funds notification (col. 24, lines 17-45; col. 45, lines 45-64);
- Transferring the insufficient funds notification to the end station, the end station being adapted to respond to the insufficient funds notification by (col. 24, lines 17-45; col. 45, lines 45-64):
- Displaying a transaction screen to the user, allowing the user to enter transaction details (col. 19, steps 138-141 of the given table); and,
- Transferring the transaction details to a remote transaction system via the communications port, the remote transaction system being adapted to authorize the transaction and transfer an indication of the authorization to the base station (col. 19, steps 142-145 of the table);
- Receiving the indication of the authorization (col. 19, steps 145-146 of the table);
- Updating the user data (col. 24, lines 33-45);
- Re-comparing the criteria to the transaction content (col. 24, lines 33-45); and,
- Generating the notification in response to a successful comparison (col. 24, lines 47-57).

As per claim 26, Downs et al. disclose a method of controlling the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm (col. 12, lines 43-46; col. 13, lines 19-47; i.e., ... *using the symmetric, public key/symmetric key algorithms*), the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 19, steps 144-148 of the given table).

As per claim 27, Downs et al. disclose a computer program product comprising computer executable code for causing a base station to control the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the computer executable code being adapted to cause the base station to:

- Receiving an indication of the criteria from the end station (col. 69, lines 37-45; col. 70, lines 27-31 – i.e., *license* is being a criteria);
- Comparing the indicated criteria to the user data to determine if the criteria are satisfied (col. 69, lines 43-45);
- Generating a notification in response to a successful comparison (col. 69, lines 45-48; col. 24, lines 39-44);
- Transferring the notification to the end station, the end station responding to the notification to (col. 69, lines 45-48; col. 24, lines 39-44):
 - Decode a number of the following data frames (col. 24, lines 47-57); and,
 - Display the content contained therein (col. 86, lines 1-4).

As per claim 28, Downs et al. disclose a computer program product comprising computer executable code for causing a base station to control the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one

Art Unit: 3621

or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 7, lines 41-55; col. 11, lines 35-54).

As per claim 29, Downs et al. disclose a base station for controlling the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the base station comprising:

- A store for storing user data (col. 86, lines 7-10);
- A processor, the processor being adapted to (col. 79, lines 15-25 – i.e., *it's understood that a processor is included in the end-user device, which is being a Personal Computer*):
 - ◆ Receive an indication of the criteria from the end station (col. 69, lines 37-45; col. 70, lines 27-31 – i.e., *license is being a criteria*);
 - ◆ Compare the indicated criteria to the user data to determine if the criteria are satisfied (col. 69, lines 43-45);
 - ◆ Generate a notification in response to a successful comparison (col. 69, lines 45-48; col. 24, lines 39-44);
 - ◆ Transfer the notification to the end station, the end station responding to the notification to (col. 69, lines 45-48; col. 24, lines 39-44):
 - Decode a number of the following data frames (col. 24, lines 47-57); and,
 - Display the content contained therein (col. 86, lines 1-4).

As per claim 30, Downs et al. disclose the base station of claim 29, the base station further comprising communications port for coupling to a communications system and, the base station being adapted to communicate with the end station via the communications port (col. 11, lines 33-34; col. 23, lines 4-20 – i.e., *it's understood that the End-User Device being a Personal Computer includes communications port to communicate/transmit/exchange information with other devices*).

As per claim 31, Downs et al. disclose a base station for controlling the display of content to a user at an end station, the content being formed from a sequence of data frames, each data frame being

Art Unit: 3621

encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (figure 1D, item 111: the Content Housing Sites).

As per claim 32, Downs et al. disclose a system for displaying content to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (figure 1D, item 109: the End-User Device; col. 11, lines 29-34).

As per claim 33, Downs et al. disclose a method of generating content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the method comprising:

- Selecting the content to be displayed (col. 86, lines 53-56);
- Encoding the content as a number of data frames using a predetermined encoding algorithm (col. 21, lines 51-63);
- Specifying the one or more criteria to be included in the criteria frames (col. 81, lines 24-42);
- Generating the one or more criteria frames in accordance with the specified criteria, the criteria frames being encoded using the predetermined algorithm (col. 81, lines 43-61); and,
- Generating the sequence of data frames in accordance with the content, the sequence of data frames including the one or more criteria frames (col. 81, lines 62-67).

As per claim 34, Downs et al. disclose the method of claim 33, the criteria including details of one or more of:

- The number of criteria frames to be included (col. 47, lines 26-57);
- The relative separation of the criteria frames in the sequence of data frames (col. 47, lines 26-57);
- Payment content, including an indication of the payment required to display a predetermined amount of content (col. 47, lines 26-57); and

Art Unit: 3621

- Information describing the author of the content (col. 87, lines 42-43).

As per claim 35, Downs et al. disclose a method of generating content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 47, lines 26-57).

As per claim 36, Downs et al. disclose a computer program product comprising computer executable code which when implemented by a suitable processing system causes the processing system to generate content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the computer executable code causing the processing system to:

- Allow a user to select the content to be displayed (col. 86, lines 53-56);
- Encode the content as a number of data frames using a predetermined encoding algorithm (col. 21, lines 51-63);
- Allow the user to specifying the one or more criteria to be included in the criteria frames (col. 81, lines 43-61);
- Generate the one or more criteria frames in accordance with the specified criteria, the criteria frames being encoded using the predetermined algorithm (col. 81, lines 43-61); and,
- Generate the sequence of data frames in accordance with the content, the sequence of data frames including the one or more criteria frames (col. 81, lines 62-67).

As per claim 37, Downs et al. disclose a computer program product comprising computer executable code which when implemented by a suitable processing system causes the processing system to generate content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the

Art Unit: 3621

sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 81, lines 24-67; col. 21, lines 51-63).

As per claim 38, Downs et al. disclose a processing system adapted to generate content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm, the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed, the processing system comprises:

- An input for receiving commands from a user (col. 79, lines 49-55 – i.e., *the End-User Web Browser being an input*);
- A processor adapted to (figure 10, SC Processor 192; col. 79, lines 15-25 – i.e., *it's understood that a processor is included in the end-user device, which is being a Personal Computer*):
 - ◆ Receive the content to be displayed (col. 79, lines 63-67; col. 80, lines 1-5);
 - ◆ Encode the content as a number of data frames using a predetermined encoding algorithm (col. 21, lines 51-63);
 - ◆ Receive input commands from the user specifying the one or more criteria to be included in the criteria frames (col. 81, lines 24-42);
 - ◆ Generate the one or more criteria frames in accordance with the specified criteria, the criteria frames being encoded using the predetermined algorithm (col. 81, lines 43-61); and,
 - ◆ Generate the sequence of data frames in accordance with the content, the sequence of data frames including the one or more criteria frames (col. 81, lines 62-67).

As per claim 39, Downs et al. disclose a processing system adapted to generate content to be displayed to a user at an end station, the content being formed from a sequence of data frames, each data frame being encoded using a predetermined algorithm (col. 21, lines 51-63), the sequence of data frames including at least one criteria frame indicating one or more criteria to be satisfied in order to allow at least some of the content to be displayed (col. 81, lines 24-67).

Art Unit: 3621

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY LOAN T. LE whose telephone number is (571) 272-7066. The examiner can normally be reached on Monday-Thursday, 6am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES P. TRAMMELL can be reached on (571) 272-6712. *For official/regular communication*, the fax number for the organization where this application or proceeding is assigned is (703) 872-9306. *For informal/draft communication*, the fax number is (571) 273-7066 (rightfax).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Hand delivered responses should be brought to:

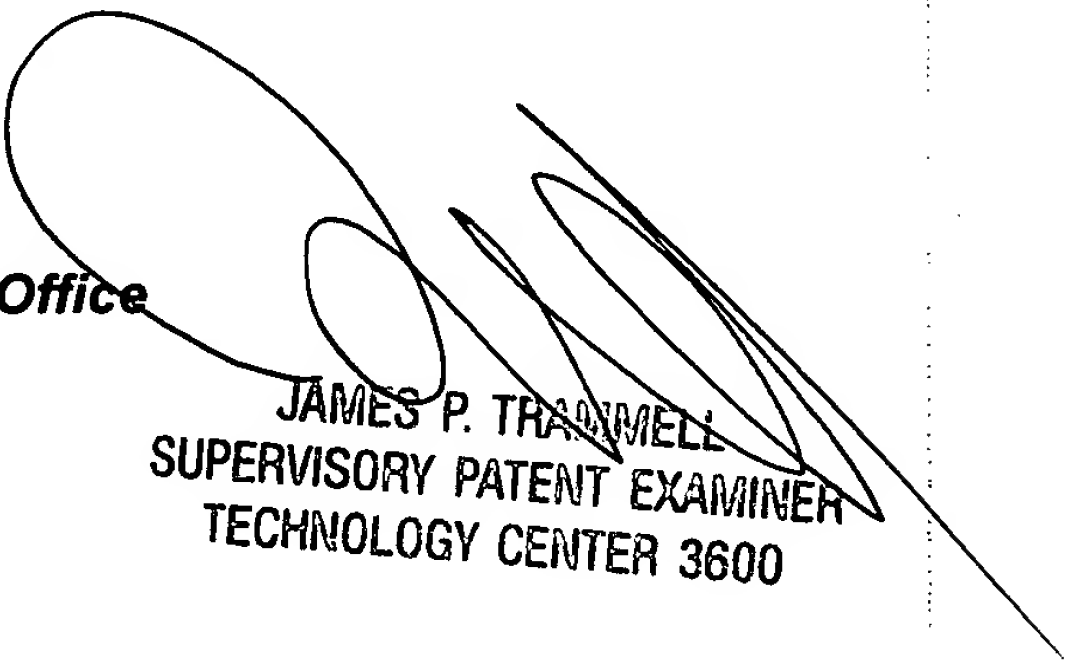
United States Patent and Trademark Office

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

NL

16 May 2005